

Appln No. 09/887,474
Amendment filed may 6, 2005

PATENT

REMARKS / ARGUMENTS

Status Of Claims

Initially, Applicants and their attorney gratefully acknowledge the allowance of Claims 6-15 of the present application.

It is noted that allowed Claims 7-11 have been amended, by the foregoing amendments, solely for the purpose of correcting the labels of the subsections of these claims, in view of the prior amendment to Claim 6 which added a subsection thereto. It is believed that the foregoing amendments to Claims 7-11 are merely clerical/typographical in nature and do not alter the scope of the allowed claims in any way. Entry of the foregoing amendments to Claims 7-11 is hereby requested and continued allowance of Claims 6-15 is also respectfully requested.

Claims 1-3 stand rejected according to the comments provided in the final Office Action, while Claims 4 and 5 are remain withdrawn pursuant to an earlier election.

By the foregoing amendments, independent Claim 1 has been amended to clarify that the pressure containment vessel is "capable of containing a detonation or explosion in said reaction chamber". This amendment is supported by the as-filed disclosure which has been published as US2002/0071798, and particularly by the description provided in paragraph [0042] of US 2002/0071798. It is believed that amended independent Claim 1 remains generic to dependent Claims 2-5.

Rejection of Claims 1-3 under 35 U.S.C. § 102(b)

On pages 2-4 of the final Office Action, the rejection of Claims 1-3, under 35 U.S.C. § 102(b), has been maintained based on the disclosure of Kobylinski (US 5,112,527). Applicants respectfully traverse this rejection for the following reasons.

The present invention, as recited in amended independent Claim 1, relates to a lab-scale reactor unit for conducting high temperature catalytic reactions to produce hydrogen cyanide and is sized and shaped for use within a laboratory setting. Moreover, the lab-scale reactor unit of independent Claim 1 comprises, among other

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recited features, a pressure containment vessel which is capable of containing a detonation or explosion in said reaction chamber.

In the final Office Action, the Examiner explained that the apparatus disclosed in Kobylinski may not be capable of containing detonations or explosions, but since this feature was not recited in the independent Claim 1 of the present application, the Kobylinski apparatus is within the limitations of Claim 1. Moreover, the Examiner pointed out that a difference between the intended uses of the claimed invention and apparatus found in the prior art must result in a structural difference between the claimed invention and the prior art apparatus. By the foregoing amendments, such a structural difference (i.e., that the pressure containment vessel which is capable of containing a detonation or explosion in said reaction chamber) is now recited in present independent Claim 1, which is believed to address these comments.

It is believed that, in view of the foregoing claim amendments and the above comments, the present invention as recited in amended independent Claim 1 is not anticipated by Kobylinski. Thus, it is further believed that independent Claim 1, as well as Claims 2 and 3 which depend therefrom, are allowable over Kobylinski.

Conclusion

It is believed that the foregoing amendments place Claims 1-15 of the present application in condition for allowance.

More particularly, in view of the foregoing amendments and remarks, re-examination and allowance of Claims 1-3 are respectfully requested.

Furthermore, in the event that amended independent Claim 1 is found allowable, since amended independent Claim 1 remains generic with respect to each of Claims 4 and 5, re-examination and allowance of Claims 4 and 5 is also hereby requested.

In addition, in view of the foregoing amendments and explanation, entry of amended Claims 7-11 is hereby respectfully requested and continued allowance of Claims 6-15 is also hereby respectfully requested.

Since this Amendment is a first reply to the final Office Action and is being filed within TWO months of the mailing date of the final Office Action, it is understood that if

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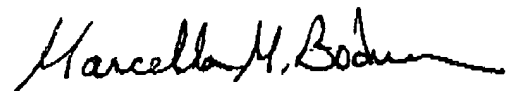
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the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

If there remain any outstanding issues which the Examiner believes could be resolved by telephone, the Examiner is cordially invited to telephone the undersigned attorney to discuss same at the telephone number provided below.

No fees are believed to be due in connection with the filing of this Amendment. If, however, any such fees, including petition and extension fees, are due, the Commissioner is hereby authorized to charge such fees, as well as to credit any overpayments, to **Deposit Account No. 18-1850**. In the meantime, please direct all future correspondence relating to the present application to the undersigned attorney.

Respectfully Submitted,



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